103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2278

Introduced 2/10/2023, by Sen. Mike Simmons

SYNOPSIS AS INTRODUCED:

625 ILCS 5/15-103	from Ch. 95 1/2, par. 15-103
625 ILCS 5/15-107	from Ch. 95 1/2, par. 15-107
625 ILCS 5/15-116	
625 ILCS 5/15-316	from Ch. 95 1/2, par. 15-316

Amends the Illinois Vehicle Code. Provides that local authorities with respect to highways under their jurisdiction may also, by ordinance or resolution, prohibit the operation of trucks or other commercial vehicles, or may impose limitations as the weight, height, or length (rather than only weight) thereof, which prohibitions and limitations shall be marked by appropriate signs placed on such highways. Establishes that an agency or instrumentality of the State of Illinois or any unit of local government shall not be required to widen or otherwise alter a non-designated highway (regardless of its date of construction) to accommodate truck-tractor-semitrailer combinations. Provides that each unit of local government may (rather than shall) report to the Department of Transportation any limitations prohibiting the operation of vehicles imposed by ordinance or resolution in the unit of local government's non-designated highway system. Makes conforming changes.

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AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

4 Section 5. The Illinois Vehicle Code is amended by 5 changing Sections 15-103, 15-107, 15-116, and 15-316 as 6 follows:

7 (625 ILCS 5/15-103) (from Ch. 95 1/2, par. 15-103) Sec. 15-103. Height of vehicles. Except as provided in 8 9 Section 15-316, the The height of a vehicle from the under side of the tire to the top of the vehicle, inclusive of load, shall 10 not exceed 13 feet, 6 inches on any highway in the State. 11 A person convicted of violating this Section is subject to 12 13 the penalty provided in paragraph (b) of Section 15-113. 14 (Source: P.A. 92-417, eff. 1-1-02.)

15 (625 ILCS 5/15-107) (from Ch. 95 1/2, par. 15-107)

16 Sec. 15-107. Length of vehicles.

17 (a) The maximum length of a single vehicle on any highway18 of this State may not exceed 42 feet except the following:

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(1) Semitrailers.

(2) Charter or regulated route buses may be up to 45
feet in length, not including energy absorbing bumpers.
(a-1) A motor home as defined in Section 1-145.01 may be up

to 45 feet in length, not including energy absorbing bumpers.
The length limitations described in this subsection (a-1)
shall be exclusive of energy-absorbing bumpers and rear view
mirrors.

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(b) (Blank).

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6 (c) Except as provided in subsections (c-1) and (c-2),
7 combinations of vehicles may not exceed a total of 2 vehicles
8 except the following:

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(1) A truck tractor semitrailer may draw one trailer.

10 (2) A truck tractor semitrailer may draw one converter11 dolly or one semitrailer.

12 (3) A truck tractor semitrailer may draw one vehicle
13 that is defined in Chapter 1 as special mobile equipment,
14 provided the overall dimension does not exceed 60 feet.

(4) A truck in transit may draw 3 trucks in transitcoupled together by the triple saddlemount method.

17 (5) Recreational vehicles consisting of 3 vehicles,18 provided the following:

19 (A) The total overall dimension does not exceed 6020 feet.

(B) The towing vehicle is a properly registered
vehicle capable of towing another vehicle using a
fifth-wheel type assembly.

(C) The second vehicle in the combination of
vehicles is a recreational vehicle that is towed by a
fifth-wheel assembly. This vehicle must be properly

registered and must be equipped with brakes,
 regardless of weight.

3 (D) The third vehicle must be the lightest of the 3 4 vehicles and be a trailer or semitrailer designed or 5 used for transporting a boat, all-terrain vehicle, 6 personal watercraft, or motorcycle.

7 (E) The towed vehicles may be only for the use of
8 the operator of the towing vehicle.

9 (F) All vehicles must be properly equipped with 10 operating brakes and safety equipment required by this 11 Code, except the additional brake requirement in 12 subdivision (C) of this subparagraph (5).

13 (6) A tow truck in combination with a disabled vehicle
14 or combination of disabled vehicles, provided the towing
15 vehicle:

16 (A) Is specifically designed as a tow truck having 17 a gross vehicle weight rating of at least 18,000 pounds and equipped with air brakes, provided that air 18 19 brakes are required only if the towing vehicle is 20 towing a vehicle, semitrailer, or tractor-trailer 21 combination that is equipped with air brakes. For the 22 purpose of this subsection, gross vehicle weight 23 rating, or GVWR, means the value specified by the 24 manufacturer as the loaded weight of the tow truck.

(B) Is equipped with flashing, rotating, or
 oscillating amber lights, visible for at least 500

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feet in all directions.

(C) Is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles.

5 (D) Does not engage a tow exceeding 50 highway 6 miles from the initial point of wreck or disablement 7 to a place of repair. Any additional movement of the 8 vehicles may occur only upon issuance of authorization 9 for that movement under the provisions of Sections 10 15-301 through 15-318 of this Code.

11 The Department may by rule or regulation prescribe 12 additional requirements regarding length limitations for a 13 tow truck towing another vehicle.

For purposes of this Section, a tow-dolly that merely serves as substitute wheels for another legally licensed vehicle is considered part of the licensed vehicle and not a separate vehicle.

18 (7) Commercial vehicles consisting of 3 vehicles,19 provided the following:

20 (A) The total overall dimension does not exceed 6521 feet.

(B) The towing vehicle is a properly registered
vehicle capable of towing another vehicle using a
fifth-wheel type assembly or a goose-neck hitch ball.

25 (C) The third vehicle must be the lightest of the 3
26 vehicles and be a trailer or semitrailer.

(D) All vehicles must be properly equipped with 1 2 operating brakes and safety equipment required by this Code. 3 (E) The combination of vehicles must be operated 4 5 by a person who holds a commercial driver's license 6 (CDL). (F) The combination of vehicles must be en route 7 to a location where new or used trailers are sold by an 8 Illinois or out-of-state licensed new or used trailer 9 10 dealer. (c-1) A combination of 3 vehicles is allowed access to any 11 12 State designated highway if: (1) the length of neither towed vehicle exceeds 28.5 13 14 feet: 15 (2) the overall wheel base of the combination of 16 vehicles does not exceed 62 feet; and 17 (3) the combination of vehicles is en route to a location where new or used trailers are sold by an 18 Illinois or out-of-state licensed new or used trailer 19 20 dealer. (c-2) A combination of 3 vehicles is allowed access from 21 22 any State designated highway onto any county, township, or 23 municipal highway for a distance of 5 highway miles for the purpose of delivery or collection of one or both of the towed 24 25 vehicles if: 26 (1) the length of neither towed vehicle exceeds 28.5

1 feet;

2 (2) the combination of vehicles does not exceed 40,000
3 pounds in gross weight and 8 feet 6 inches in width;

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(3) there is no sign prohibiting that access;

5 (4) the route is not being used as a thoroughfare
6 between State designated highways; and

7 (5) the combination of vehicles is en route to a 8 location where new or used trailers are sold by an 9 Illinois or out-of-state licensed new or used trailer 10 dealer.

(d) On Class I highways there are no overall length limitations on motor vehicles operating in combinations provided:

14 (1) The length of a semitrailer, unladen or with load,
15 in combination with a truck tractor may not exceed 53
16 feet.

17 (2) The distance between the kingpin and the center of 18 the rear axle of a semitrailer longer than 48 feet, in 19 combination with a truck tractor, may not exceed 45 feet 6 20 inches. The limit contained in this paragraph (2) shall 21 not apply to trailers or semi-trailers used for the 22 transport of livestock as defined by Section 18b-101.

(3) The length of a semitrailer or trailer, unladen or
with load, operated in a truck tractor-semitrailer-trailer
or truck tractor semitrailer-semitrailer combination, may
not exceed 28 feet 6 inches.

1 2 (4) Maxi-cube combinations, as defined in Chapter 1, may not exceed 65 feet overall dimension.

- 3 (5) Combinations of vehicles specifically designed to 4 transport motor vehicles or boats may not exceed 65 feet 5 overall dimension. The length limitation is inclusive of 6 front and rear bumpers but exclusive of the overhang of 7 the transported vehicles, as provided in paragraph (i) of 8 this Section.
- 9 (6) Stinger-steered semitrailer vehicles specifically 10 designed to transport motor vehicles or boats and 11 automobile transporters, as defined in Chapter 1, may not 12 exceed 80 feet overall dimension. The length limitation is 13 inclusive of front and rear bumpers but exclusive of the 14 overhang of the transported vehicles, as provided in 15 paragraph (i) of this Section.
- 16 (7) A truck in transit transporting 3 trucks coupled
 17 together by the triple saddlemount method may not exceed
 18 97 feet overall dimension.
- 19 (8) A towaway trailer transporter combination may not
 20 exceed 82 feet overall dimension.

Vehicles operating during daylight hours when transporting poles, pipes, machinery, or other objects of a structural nature that cannot readily be dismantled or disassembled are exempt from length limitations, provided that no object may exceed 80 feet in length and the overall dimension of the vehicle including the load may not exceed 100 feet. This exemption does not apply to operation on a Saturday, Sunday, or legal holiday. Legal holidays referred to in this Section are the days on which the following traditional holidays are celebrated: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day.

6 Vehicles and loads operated by a public utility while en 7 route to make emergency repairs to public service facilities 8 or properties are exempt from length limitations, provided 9 that during night operations every vehicle and its load must 10 be equipped with a sufficient number of clearance lamps on 11 both sides and marker lamps on the extreme ends of any 12 projecting load to clearly mark the dimensions of the load.

A tow truck in combination with a disabled vehicle or combination of disabled vehicles, as provided in paragraph (6) of subsection (c) of this Section, is exempt from length limitations.

The length limitations described in this paragraph (d) shall be exclusive of safety and energy conservation devices, such as bumpers, refrigeration units or air compressors and other devices, that the Department may interpret as necessary for safe and efficient operation; except that no device excluded under this paragraph shall have by its design or use the capability to carry cargo.

Section 5-35 of the Illinois Administrative Procedure Act relating to procedures for rulemaking shall not apply to the designation of highways under this paragraph (d).

1 (e) On Class II highways there are no overall length 2 limitations on motor vehicles operating in combinations, 3 provided:

4 (1) The length of a semitrailer, unladen or with load,
5 in combination with a truck tractor, may not exceed 53
6 feet overall dimension.

7 (2) The distance between the kingpin and the center of 8 the rear axle of a semitrailer longer than 48 feet, in 9 combination with a truck tractor, may not exceed 45 feet 6 10 inches. The limit contained in this paragraph (2) shall 11 not apply to trailers or semi-trailers used for the 12 transport of livestock as defined by Section 18b-101.

13 (3) A truck tractor-semitrailer-trailer or truck
14 tractor semitrailer-semitrailer combination may not exceed
15 65 feet in dimension from front axle to rear axle.

16 (4) The length of a semitrailer or trailer, unladen or
17 with load, operated in a truck tractor-semitrailer-trailer
18 or truck tractor semitrailer-semitrailer combination, may
19 not exceed 28 feet 6 inches.

20 (5) Maxi-cube combinations, as defined in Chapter 1,
 21 may not exceed 65 feet overall dimension.

(6) A combination of vehicles, specifically designed
to transport motor vehicles or boats, may not exceed 65
feet overall dimension. The length limitation is inclusive
of front and rear bumpers but exclusive of the overhang of
the transported vehicles, as provided in paragraph (i) of

1 this Section.

(7) Stinger-steered semitrailer vehicles specifically
designed to transport motor vehicles or boats may not
exceed 80 feet overall dimension. The length limitation is
inclusive of front and rear bumpers but exclusive of the
overhang of the transported vehicles, as provided in
paragraph (i) of this Section.

8 (8) A truck in transit transporting 3 trucks coupled 9 together by the triple saddlemount method may not exceed 10 97 feet overall dimension.

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(9) A towaway trailer transporter combination may not exceed 82 feet overall dimension.

13 Vehicles operating during daylight hours when transporting 14 poles, pipes, machinery, or other objects of a structural 15 nature that cannot readily be dismantled or disassembled are 16 exempt from length limitations, provided that no object may 17 exceed 80 feet in length and the overall dimension of the vehicle including the load may not exceed 100 feet. This 18 19 exemption does not apply to operation on a Saturday, Sunday, 20 or legal holiday. Legal holidays referred to in this Section are the days on which the following traditional holidays are 21 22 celebrated: New Year's Day; Memorial Day; Independence Day; 23 Labor Day; Thanksgiving Day; and Christmas Day.

Vehicles and loads operated by a public utility while en route to make emergency repairs to public service facilities or properties are exempt from length limitations, provided that during night operations every vehicle and its load must be equipped with a sufficient number of clearance lamps on both sides and marker lamps on the extreme ends of any projecting load to clearly mark the dimensions of the load.

5 A tow truck in combination with a disabled vehicle or 6 combination of disabled vehicles, as provided in paragraph (6) 7 of subsection (c) of this Section, is exempt from length 8 limitations.

9 Local authorities, with respect to streets and highways
 10 under their jurisdiction, may also by ordinance or resolution
 11 allow length limitations of this subsection (c).

12 The length limitations described in this paragraph (e) 13 shall be exclusive of safety and energy conservation devices, 14 such as bumpers, refrigeration units or air compressors and 15 other devices, that the Department may interpret as necessary 16 for safe and efficient operation; except that no device 17 excluded under this paragraph shall have by its design or use 18 the capability to carry cargo.

Section 5-35 of the Illinois Administrative Procedure Act relating to procedures for rulemaking shall not apply to the designation of highways under this paragraph (e).

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(e-1) (Blank).

(e-2) Except as provided in subsection (e-3), combinations of vehicles over 65 feet in length, with no overall length limitation except as provided in subsections (d) and (e) of this Section, are allowed access as follows:

1 (1) From a Class I highway onto any street or highway 2 for a distance of one highway mile for the purpose of 3 loading, unloading, food, fuel, repairs, and rest, 4 provided there is no sign prohibiting that access.

5 (2) From a Class I or Class II highway onto any 6 non-designated highway for a distance of 5 highway miles 7 for the purpose of loading, unloading, food, fuel, 8 repairs, and rest if:

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(A) there is no sign prohibiting that access; and

(B) the route is not being used as a thoroughfare
between Class I or Class II highways.

12 (e-3) Combinations of vehicles over 65 feet in length 13 operated by household goods carriers or towaway trailer 14 transporter combinations, with no overall length limitations 15 except as provided in subsections (d) and (e) of this Section, 16 have unlimited access to points of loading, unloading, or 17 delivery to or from a manufacturer, distributor, or dealer.

18 (f) On non-designated highways, <u>except as provided in</u> 19 <u>Section 15-316</u>, the maximum length limitations for vehicles in 20 combination are as follows:

(1) A truck tractor in combination with a semitrailer may not exceed 65 feet overall dimension. An agency or instrumentality of the State of Illinois or any unit of local government shall not be required to widen or otherwise alter a non-designated highway constructed before January 1, 2018 to accommodate truck

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- tractor-semitrailer combinations under this paragraph (1).
- 2 (2) Semitrailers, unladen or with load, may not exceed
 3 53 feet overall dimension.

4 (3) A truck tractor-semitrailer-trailer or truck
5 tractor semitrailer-semitrailer may not exceed 60 feet
6 overall dimension.

7 (4) The distance between the kingpin and the center 8 axle of a semitrailer longer than 48 feet, in combination 9 with a truck tractor, may not exceed 42 feet 6 inches. The 10 limit contained in this paragraph (4) shall not apply to 11 trailers or semi-trailers used for the transport of 12 livestock as defined by Section 18b-101.

(g) Length limitations in the preceding subsections ofthis Section 15-107 do not apply to the following:

15 (1) Vehicles operated in the daytime, except on 16 Saturdays, Sundays, or legal holidays, when transporting 17 poles, pipe, machinery, or other objects of a structural nature that cannot readily be dismantled or disassembled, 18 19 provided the overall length of vehicle and load may not 20 exceed 100 feet and no object exceeding 80 feet in length may be transported unless a permit has been obtained as 21 authorized in Section 15-301. As used in this Section, 22 23 "legal holiday" means any of the following days: New 24 Year's Day; Memorial Day; Independence Day; Labor Day; 25 Thanksgiving Day; and Christmas Day.

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(2) Vehicles and loads operated by a public utility

while en route to make emergency repairs to public service facilities or properties, but during night operation every vehicle and its load must be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly

mark the dimensions of the load.

7 (3) A tow truck in combination with a disabled vehicle
8 or combination of disabled vehicles, as provided in
9 paragraph (6) of subsection (c) of this Section, is exempt
10 from length limitations.

11 The towing vehicle, however, may tow any disabled vehicle 12 from the initial point of wreck or disablement to a point where 13 repairs are actually to occur. This movement shall be valid 14 only on State routes. The tower must abide by posted bridge 15 weight limits.

16 All other combinations not listed in this subsection (f) 17 may not exceed 60 feet overall dimension.

(h) The load upon any vehicle operated alone, or the load 18 upon the front vehicle of a combination of vehicles, shall not 19 20 extend more than 3 feet beyond the front wheels of the vehicle or the front bumper of the vehicle if it is equipped with a 21 22 front bumper. The provisions of this subsection (h) shall not 23 apply to any vehicle or combination of vehicles specifically 24 designed for the collection and transportation of waste, 25 recyclable materials during the garbage, or vehicle's 26 operation in the course of collecting garbage, waste, or

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1 recyclable materials if the vehicle is traveling at a speed 2 not in excess of 15 miles per hour during the vehicle's 3 operation and in the course of collecting garbage, waste, or 4 recyclable materials. However, in no instance shall the load 5 extend more than 7 feet beyond the front wheels of the vehicle 6 or the front bumper of the vehicle if it is equipped with a 7 front bumper.

8 (i) The load upon the front vehicle of an automobile 9 transporter or a stinger-steered vehicle specifically designed 10 to transport motor vehicles shall not extend more than 4 feet 11 beyond the foremost part of the transporting vehicle and the 12 load upon the rear transporting vehicle shall not extend more than 6 feet beyond the rear of the bed or body of the vehicle. 13 14 This paragraph shall only be applicable upon highwavs 15 designated in paragraphs (d) and (e) of this Section.

(j) Articulated vehicles comprised of 2 sections, neither of which exceeds a length of 42 feet, designed for the carrying of more than 10 persons, may be up to 60 feet in length, not including energy absorbing bumpers, provided that the vehicles are:

1. operated by or for any public body or motor carrier
 authorized by law to provide public transportation
 services; or

24 2. operated in local public transportation service by
25 any other person and the municipality in which the service
26 is to be provided approved the operation of the vehicle.

1 (j-1) (Blank).

2 (k) Any person who is convicted of violating this Section
3 is subject to the penalty as provided in paragraph (b) of
4 Section 15-113.

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5 (l) (Blank).
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6 (Source: P.A. 101-328, eff. 1-1-20; 102-124, eff. 7-23-21.)

7 (625 ILCS 5/15-116)

8 Sec. 15-116. Highway designations.

9 (a) The Department of Transportation shall maintain and 10 provide a listing of all Class I and Class II designated 11 streets and highways as defined in Chapter 1 of this Code.

12 (b) The Department shall also maintain and provide a 13 listing of all local streets or highways that have been 14 designated Class II by local agencies.

15 (c) Local agencies shall be responsible for reporting to 16 all streets and highways under the Department their jurisdiction designated Class II. Local agencies shall also 17 18 provide to the Department reference contact names and 19 telephone numbers.

20 (d) The Department shall also maintain and provide an 21 official map of the Designated State Truck Route System that 22 includes State and local streets and highways that have been 23 designated Class I or Class II.

(e) If a unit of local government has no Class IIdesignated truck routes, the unit of local government shall

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1 affirm to the Department that it has no such truck routes.

(f) Each unit of local government <u>shall may</u> report to the Department, and the Department shall post on its official website, any limitations prohibiting the operation of vehicles imposed by ordinance or resolution in the unit of local government's non-designated highway system.

7 (Source: P.A. 101-328, eff. 1-1-20.)

8 (625 ILCS 5/15-316) (from Ch. 95 1/2, par. 15-316)

9 Sec. 15-316. When the Department or local authority may
10 restrict right to use highways.

11 provided in subsection local (a) Except as (q), 12 authorities with respect to highways under their jurisdiction 13 may by ordinance or resolution prohibit the operation of 14 vehicles upon any such highway or impose restrictions as to 15 the weight of vehicles to be operated upon any such highway, 16 for a total period of not to exceed 90 days, measured in either consecutive or nonconsecutive days at the discretion of local 17 18 authorities, in any one calendar year, whenever any said highway by reason of deterioration, rain, snow, or other 19 20 climate conditions will be seriously damaged or destroyed 21 unless the use of vehicles thereon is prohibited or the 22 permissible weights thereof reduced.

(b) The local authority enacting any such ordinance or resolution shall erect or cause to be erected and maintained signs designating the provision of the ordinance or resolution 1 at each end of that portion of any highway affected thereby, 2 and the ordinance or resolution shall not be effective unless 3 and until such signs are erected and maintained. To be 4 effective, an ordinance or resolution passed to designate a 5 Class II roadway need not require that signs be erected, but 6 the designation shall be reported to the Department.

7 (c) Local authorities with respect to highways under their 3 jurisdiction may also, by ordinance or resolution, prohibit 9 the operation of trucks or other commercial vehicles, or may 10 impose limitations as the weight<u>, height, or length</u> thereof, 11 on designated highways, which prohibitions and limitations 12 shall be <u>marked</u> designated by appropriate signs placed on such 13 highways.

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(c-1) (Blank).

15 (c-5) Highway commissioners, with respect to roads under 16 their authority, may not permanently post a road or portion 17 thereof at a reduced weight limit unless the decision to do so 18 is made in accordance with Section 6-201.22 of the Illinois 19 Highway Code.

(d) The Department shall likewise have authority as hereinbefore granted to local authorities to determine by resolution and to impose restrictions as to the weight, <u>height, or length</u> of vehicles operated upon any highway under the jurisdiction of said department, and such restrictions shall be effective when signs giving notice thereof are erected upon the highway or portion of any highway affected by

1 such resolution.

2 (d-1) (Blank).

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(d-2) (Blank).

(e) When any vehicle is operated in violation of this 4 5 Section, the owner or driver of the vehicle shall be deemed quilty of a violation and either the owner or the driver of the 6 7 vehicle may be prosecuted for the violation. Any person, firm, or corporation convicted of violating this Section shall be 8 9 fined \$50 for any weight exceeding the posted limit up to the 10 axle or gross weight limit allowed a vehicle as provided for in 11 subsections (a) or (b) of Section 15-111 and \$75 per every 500 12 pounds or fraction thereof for any weight exceeding that which 13 is provided for in subsections (a) or (b) of Section 15-111.

14 (f) A municipality is authorized to enforce a county 15 weight limit ordinance applying to county highways within its 16 corporate limits and is entitled to the proceeds of any fines 17 collected from the enforcement.

(g) An ordinance or resolution enacted by a county or 18 township pursuant to subsection (a) of this Section shall not 19 20 apply to cargo tank vehicles with two or three permanent axles 21 when delivering propane for emergency heating purposes if the 22 cargo tank is loaded at no more than 50 percent capacity, the 23 gross vehicle weight of the vehicle does not exceed 32,000 pounds, and the driver of the cargo tank vehicle notifies the 24 appropriate agency or agencies with jurisdiction over the 25 26 highway before driving the vehicle on the highway pursuant to - 20 - LRB103 27842 MXP 54220 b

1 this subsection. The cargo tank vehicle must have an operating 2 gauge on the cargo tank which indicates the amount of propane as a percent of capacity of the cargo tank. The cargo tank must 3 4 the capacity displayed on the cargo tank, have or 5 documentation of the capacity of the cargo tank must be 6 available in the vehicle. For the purposes of this subsection, propane weighs 4.2 pounds per gallon. This subsection does not 7 apply to municipalities. Nothing in this subsection shall 8 9 allow cargo tank vehicles to cross bridges with posted weight 10 restrictions if the vehicle exceeds the posted weight limit.

11 (Source: P.A. 101-328, eff. 1-1-20.)